

NCLT, KOCHI BENCH

Daily Orders – Draft

In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)

Date: 14th June 2021

1 CONTEMPT PETITION (CP)/1/KOB/2021 IN CP/21/KOB/2020

Learned counsel for the Contempt Petitioners Shri Bijoy P. Pulipra as well as learned counsel for R1-R5 Shri V. Ajakumar appeared through VC. Orders pronounced. Contempt Petition stands dismissed vide separate order.

Date: 14th June 2021

In the Bench of: **Shri Ashok Kumar Borah, Member (Judicial) &
Shri Satya Ranjan Prasad, Member (Technical)**

2 IA(IBC)/81/KOB/2021 IN TIBA/35/KOB/2019

Learned counsel for the Applicant Ms Meenu Thampi as well as learned liquidator Shri Balakrishnan Baburajan appeared through VC. Reply has been filed by the learned liquidator against this IA. It appears from the reply that the liquidator has sought some reliefs. The learned liquidator is directed to file an IA if he desires to get any specific order from this Tribunal.

Ms Meenu Thampi sought an adjournment stating that her senior is not available today to argue the matter due to Covid 19 lock down.

Adjourned to **28.06.2021 at 2.30 pm** for hearing.

Registry is directed to issue copy of this order to the learned counsel for applicant and the learned Liquidator through email.

Registry is also directed to forward the scanned copy of reply filled by the liquidator to the Hon'ble Member (Technical) through email before the next hearing date.

3 CP/7/KOB/2021

Learned counsel for the Petitioner Shri Vijay V. Paul as well as learned counsel for the respondents Shri B.K.Gopalakrishnan appeared through VC. Learned counsel of both the parties submitted that the matter has already been settled amicably and

CA/58/KOB/2021 has been filed for withdrawal of the Company Petition. **Withdrawal application CA/58/KOB/2021 is allowed.**

CP/7/KOB/2021 stands dismissed as withdrawn vide separate order.

4 CP/08/KOB/2021

Learned counsel for the petitioner Shri P.P.Zibi Jose sought link to appear through VC. But learned counsel for R1-R5, R7 & R8 Shri Pranoy Harilal submitted an email seeking further time to file the reply and adjourn the case to a later date stating that the respondents are indisposed due to the inter-district travel restrictions. Learned PCS for R10 Shri Yogindunath S also sought an adjournment stating the lockdown restrictions.

During the last posting date on 8th April, 2021 final opportunity was given to the contesting respondents to file their counter within two weeks positively making it clear that no further adjournment will be granted for this purpose and that failure to file reply, law will take its own course. Since no reply filed by the contesting respondents within the time granted, **the pleadings in this matter are treated as complete and that the matter will be heard during the next posting date.** It is needless to say that for filing counter if any, the leave of this Tribunal is required to be obtained by the respondents.

Adjourned to **14.07.2021 at 2.30 pm.**

Registry to communicate this order to both parties by email.

5 CP/10/KOB/2021

Learned counsel for the petitioner Shri Pranoy Harilal submitted an email seeking further time to file the rejoinder and for adjournment of the case to a later date stating that Adv Javed Gaya, who is leading this case is convalescing from the virus. Learned counsel for R1 and R4 Shri Abraham Cherian P. sought link to attend the hearing through VC. Learned counsel for R2 & R3 Shri P. Zibi Jose also sought link to attend the hearing through VC.

Adjourned to **14.07.2021 at 2.30 pm.**

6 CA/48/KOB/2021 IN CP/13/KOB/2021

Learned counsel for the Applicants Shri Sukumar Ninan Oommen intimated willingness to appear through VC. Learned counsel for respondent Shri Zibi Jose submitted an email stating that he will be entering appearance only for the purpose of seeking time for filing of Counter in the CAs (maintainability application) in the connected CPs. He may file counter to the CA within two weeks.

Adjourned to **15.07.2021**.

7 CP/13/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to **15.07.2021**.

8 CA/49/KOB/2021 IN CP/14/KOB/2021

Learned counsel for the Applicant Shri Sukumar Ninan Oommen intimated willingness to appear through VC. Learned counsel for respondent Shri Zibi Jose submitted an email stating that he will be entering appearance only for the purpose of seeking time for filing of Counter in the CAs (maintainability application) in the connected CPs. He may file counter to the CA within two weeks

Adjourned to **15.07.2021**.

9 CP/14/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to **15.07.2021**.

10 CA/51/KOB/2021 IN CP/15/KOB/2021

Learned counsel for the Applicant Shri Sherry Samuel Oommen intimated willingness to appear through VC. Learned counsel for respondent Shri Zibi Jose submitted an email stating that he will be entering appearance only for the purpose of seeking time for filing of Counter in the CAs (maintainability application) in the connected CPs. He may file counter to the CA within two weeks

Adjourned to 15.07.2021.

11 CP/15/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to **15.07.2021**.

12 CA/50/KOB/2021 IN CP/16/KOB/2021

Learned counsel for the Applicant Shri Sukumar Ninan Oommen intimated willingness to appear through VC. Learned counsel for respondent Shri Zibi Jose

submitted an email stating that he will be entering appearance only for the purpose of seeking time for filing of Counter in the CAs (maintainability application) in the connected CPs. He may file counter to the CA within two weeks

Adjourned to **15.07.2021**.

13 CP/16/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to 15.07.2021.

14 CA/52/KOB/2021 IN CP/17/KOB/2021

Learned counsel for the Applicant Shri Sherry Samuel Oommen intimated willingness to appear through VC. Learned PCS for the respondent Shri Yogindunath sought an adjournment through email stating that he is unable to access case records due to lock down and without office infra he is unable to file reply in this case. He may file counter to the CA within two weeks

Adjourned to **15.07.2021**.

15 CP/17/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to **15.07.2021**.

16 CA/53/KOB/2021 IN CP/18/KOB/2021

Learned counsel for the Applicant Shri Sumukar Ninan Oommen intimated willingness to appear through VC. Learned counsel for respondent Shri Zibi Jose submitted an email stating that he will be entering appearance only for the purpose of seeking time for filing of Counter in the CAs (maintainability application) in the connected CPs. He may file counter to the CA within two weeks

Adjourned to **15.07.2021**.

17 CP/18/KOB/2021

Since the related CA in this CP is adjourned, this CP is also adjourned to **15.07.2021**.

18 CA/55/KOB/2020

Learned counsel for the Applicant Shri Bijoy P. Pulipra intimated willingness to appear through VC. But learned counsel for R2 Shri Ponnann Alex G.R. sought an adjournment through email stating his ill health. Since this is a part heard case as single member sitting, the matter is **released from Part Heard** and list it before the **Division Bench on 02.07.2021** for hearing.